

REMARKS

Claims 1 - 5 are pending. By this Preliminary Amendment, claim 3 is amended to remove multiple dependencies. Claim 5 is added to compensate for the material deleted from claim 3. Prompt and favorable examination on the merits is respectfully requested.

The attached Appendix includes marked-up copies of each rewritten claim (37 C.F.R. 1.121(c)(1)(ii)).

Respectfully submitted,

James A. Oliff  
Registration No. 27,075

Joel S. Armstrong  
Registration No. 36,430

JAO:JSA/cln

Attachment: Appendix

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OLIFF & BERRIDGE, PLC  
P.O. Box 19928  
Alexandria, Virginia 22320  
Telephone: (703) 836-6400

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## APPENDIX

## Changes to Claims:

Claim 5 is added.

The following is a marked-up version of the amended claim:

3. (Amended) An optical positional deviation detecting apparatus according to claim 1 ~~or 2~~, wherein said image field area adjustment mechanism adjusts the image field area on the basis of an asymmetric focus characteristic curve of the L/S mark pattern image obtained when forming the image of the L/S mark pattern within the image field area of said imaging device.